

DOCKET NO.: CEPF-0007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Sebastian ROSE and Dominique KLEIN

U.S. Serial No.: 10/541,527

Group Art Unit: not yet assigned

U.S. Filing Date: not yet known

Examiner: not yet assigned

For: METHOD FOR PREPARING METHYL 2-DIPHENYLMETHYSULFINYLACETATE

EXPRESS MAIL LABEL NO: EV 482612215 US  
DATE OF DEPOSIT: February 28, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

EV482612215US

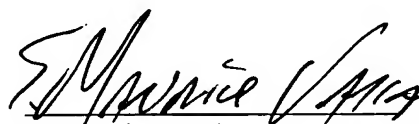
Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

In response to the "Notification of Missing Requirements", dated January 6, 2006, applicant submits herewith, a copy of such notice. The required items, namely the executed Declaration/Power of Attorney, Preliminary Amendment, and appropriate surcharge were previously submitted on October 27, 2005. A copy of the previously filed documents are enclosed.

Respectfully submitted,

Date: February 28, 2006

  
S. Maurice Valla  
Registration No. 43,966

WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100

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FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER  
CEPF-0007

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (if known see 37 CFR 1.5)  
10/521,527

INTERNATIONAL APPLICATION NO.  
PCT/IB2004/000002

INTERNATIONAL FILING DATE  
08 January 2004 (08.01.2004)

PRIORITY DATE CLAIMED  
13 January 2003 (13.01.2003)

TITLE OF INVENTION METHOD FOR PREPARING METHYL 2-DIPHENYLMETHYLSULFINYLACETATE

APPLICANT(S) FOR DO/EO/US Sébastien ROSE and Dominique KLEIN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4).
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.182-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:  
- a return postcard.

EV482612325US

EXPRESS MAIL Mailing Label No. EV 482612325 US  
Date of Deposit: October 27, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid IMB control number.

U.S. APPLICATION NO. (if known 37 C.F.R. 1.5) <b>10/541,527</b>		INTERNATIONAL APPLICATION NO. <b>PCT/IB2004/000002</b>		ATTORNEY DOCKET NUMBER <b>CEPF-0007</b>	
The following fees are submitted:					
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))		<b>\$300</b>		\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		<b>\$0.00</b>		\$	
All other situations		<b>\$200</b>			
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		<b>\$0</b>			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		<b>\$100</b>		\$	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB		<b>\$400</b>			
All other situations		<b>\$500</b>			
<b>TOTAL of 21, 22 and 23 =</b>				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50=		X \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				<b>\$130.00</b>	
Claims	Number Filed	Number Extra	Rate		
Total claims	31- 20 =	11	X \$50	<b>\$550.00</b>	
Independent Claims	1- 3 =	0	X \$200	\$	
Multiple dependent claims(s) (if applicable)			+ \$360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$680.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				<b>\$680.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$680.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
<b>TOTAL FEES ENCLOSED =</b>				<b>\$680.00</b>	
03/06/2006 ATRAN1 00000168 233050 10541527				Amount to be refunded	\$
01 FC:1617 130.00 DA 02 FC:1615 550.00 DA				Amount to be charged	\$

The PTO did not receive the following listed item(s) no check JH

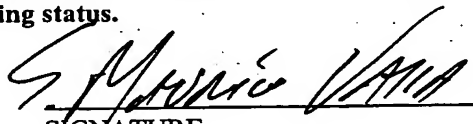
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- a. ☒ A check in the amount of \$680.00 to cover the above fee is enclosed.
- b. ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Suzanne E. Miller  
Woodcock Washburn LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
(215) 568-3100

  
\_\_\_\_\_  
SIGNATURE

S. Maurice Valla  
\_\_\_\_\_  
NAME

43,966  
\_\_\_\_\_  
REGISTRATION NUMBER

DOCKET NO.: CEPF-0007  
Application No.: 10/541,527  
Office Action Dated: Preliminary Amendment

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
**Sébastien Rose, et al.**

Confirmation No.: **Not Yet Assigned**

Application No.: **10/541,527**

Group Art Unit: **Not Yet Assigned**

Int. App. No.: **PCT/IB2004/000002**

Int. Filing Date: **08 January 2004**

Examiner: **Not Yet Assigned**

U.S. Filing Date: **Not Yet Known**

For: **METHOD FOR PREPARING METHYL 2-DIPHENYLMETHYLSULFINYLACETATE**

**EXPRESS MAIL LABEL NO: EV 482612325 US**  
**DATE OF DEPOSIT: October 27, 2005**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PRELIMINARY AMENDMENT**

Consideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- ☐ Amendments to the Specification begin on page 2 of this paper.
- ☒ Amendments to the Claims are reflected in the listing of the claims which begins on page 3 of this paper.
- ☐ Amendments to the Drawings begin on page of this paper and include an attached replacement sheet.
- ☒ Remarks begin on page 7 of this paper.

DOCKET NO.: CEPF-0007  
Application No.: 10/541,527  
Office Action Dated: Preliminary Amendment

PATENT

Please amend the Specification as follows:

At page 1, after the title, please insert the following:

**CROSS-REFERENCE TO RELATED APPLICATIONS**

This application represents entry into the U.S. national phase of International Application No. PCT/IB2004/000002, filed January 8, 2004, which in turn claimed priority of European Application No. EP 03290082.1, filed January 13, 2003.

**FIELD OF THE INVENTION**

At page 1, line 4, please insert the following before the paragraph beginning "MDMSA ...":

**BACKGROUND OF THE INVENTION**

At page 1, line 17, please insert the following before the paragraph beginning "These aims ...":

**SUMMARY OF THE INVENTION**

At page 1, line 25, please insert the following before the paragraph beginning "Scheme 1 ...":

**DETAILED DESCRIPTION OF PREFERRED EMBODIMENTS**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Original) Method for preparing methyl 2-diphenylmethylsulfinylacetate (MDMSA) comprising the steps of :
  - (i) conversion of benzhydrol into methyldiphenylmethylthio-acetate ; and
  - (ii) conversion of methyldiphenylmethylthioacetate into methyl-2-diphenylmethylsulfinylacetate.
2. (Original) Method according to claim 1, in which step (i) comprises the following steps :
  - a1) conversion of benzhydrol to benzhydrol carboxylate in an appropriate solvent ;
  - b1) conversion of the benzhydrol carboxylate to methyl diphenylmethylthioacetate.
3. (Original) Method according to claim 2, in which the step (a1) comprises reacting benzhydrol and an acid anhydride in the presence of an inorganic acid and in an appropriate solvent.
4. (Original) Method according to claim 3, in which the solvent is an aprotic solvent.
5. (Original) Method according to claim 4, in which the aprotic solvent is chosen from chlorinated solvents, aromatic solvents, hydrocarbon solvents and ethereal solvents.
6. (Original) Method according to claim 5, in which the aprotic solvent is chosen from chlorinated solvents.
7. (Original) Method according to claim 6, in which the solvent is dichloromethane.

8. (Currently amended) Method according to ~~any one of claims 3 to 7~~ claim 3, in which the acid anhydride is chosen from acetic anhydride, propanoic anhydride and butyric anhydride.

9. (Original) Method according to claim 8, in which the acid anhydride is acetic anhydride.

10. (Currently amended) Method according to ~~any one of claims 3 to 9~~ claim 3, in which the inorganic acid is chosen from hydrochloric acid, butyric acid, o-phosphoric acid and sulfuric acid.

11. (Original) Method according to claim 10, in which the inorganic acid is sulfuric acid.

12. (Currently amended) Method according to ~~any one of claims 3 to 11~~ claim 3, in which the quantity of inorganic acid used is from 0.02 to 0.3 molar equivalents relative to the benzhydrol.

13. (Currently amended) Method according to ~~any one of claims 3 to 12~~ claim 3, in which the reaction temperature in step a) is between  $-5^{\circ}\text{C}$  and  $+5^{\circ}\text{C}$ .

14. (Currently amended) Method according to claim 2 ~~to 13~~, in which step b1) comprises bringing the solution obtained in step a) into contact with methyl thioglycolate.

15. (Original) Method according to claim 14, in which the contact time used in step b1) is between 2 and 3 hours.

16. (Currently amended) Method according to claim 14 ~~to 15~~, in which the contact temperature used in step b1) is between  $15^{\circ}\text{C}$  and  $25^{\circ}\text{C}$ .



17. (Currently amended) Method according to ~~any one of the preceding claims~~ claim 1, in which the oxidizing agent is chosen from oxone, potassium permanganate, sodium percarbonate, peroxides such as hydrogen peroxide, tert-butyl hydroperoxide and m-chloroperoxybenzoic acid.

18. (Original) Method according to claim 17, in which the oxidizing agent is hydrogen peroxide.

19. (Original) Method according to claim 18, in which the hydrogen peroxide is added in the form of a 35% aqueous solution.

20. (Currently amended) Method according to ~~any one of the preceding claims~~ claim 1, in which the oxidizing agent is used in an amount of 1 to 1.1 molar equivalent.

21. (Currently amended) Method according to ~~any one of the preceding claims~~ claim 1, in which the reaction temperature in step (ii) is between 28°C and 37°C.

22. (Currently amended) Method according to ~~one of claims 3 to 21~~ claim 3, in which an additional quantity of inorganic acid is added in step (ii).

23. (Original) Method according to claim 22, in which the additional quantity of inorganic acid is from 0.02 to 0.3 molar equivalents.

24. (Currently amended) Method according to ~~either of claims 22 and 23~~ claim 22, in which the contact time in step (ii) is between 10 and 13 hours.

25. (Currently amended) Method according to ~~any one of the preceding claims~~ claim 1, which comprises an additional step (iii) recovering the methyl 2-diphenyl-methylsulfinylacetate obtained.

26. (Original) Method according to claim 25, in which step (iii) comprises a distillation of the solvent to dryness.

27. (Currently amended) Method according to ~~any one of claims 25 to 26~~ claim 25, in which step (iii) comprises a step of direct crystallization.

28. (Original) Method according to claim 27, in which the crystallization solvent is chosen from methanol, ethanol, ethyl acetate, isopropyl acetate and toluene.

29. (Original) Method according to claim 28, in which the crystallization solvent is isopropyl acetate.

30. (Currently amended) Method according to ~~any one of the preceding claims~~ claim 1, in which the successive steps are carried out in the same reactor without isolation of the intermediate compounds.

31. (Currently amended) Method for preparing modafinil comprising preparing MDMSA according to ~~claims~~ claim 1 ~~to 30~~.

DOCKET NO.: CEPF-0007  
Application No.: 10/541,527  
Office Action Dated: Preliminary Amendment

PATENT


### REMARKS

After entry of the instant amendment, claims 1 to 31 will be pending. Claims 8, 10, 12-14, 16, 17, 20-22, 24, 25, 27, 30 and 31 are amended herein.

The specification and claims have been amended to remove improper multiple dependencies and to comply with U.S. practice. No new matter is added.

An early action on the merits is requested respectfully.

Date: October 27, 2005

  
S. Maurice Valla  
Registration No. 43,966

Woodcock Washburn LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

DOCKET NO.: CP 244

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

For: METHOD FOR PREPARING METHYL 2-DIPHENYLMETHYLSULFINYLACETATE

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for the following type of application:

*(check one applicable item below)*

☐ Original

☐ Divisional

☐ Continuation

☒ U.S. National Stage of PCT

☐ Continuation-in-Part

My residence, post office address and citizenship are as stated below next to my name; and I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a

☐ Utility Patent

☐ Design Patent

is sought on the invention, whose title appears above, the specification of which:

☐ is attached hereto

☐ was filed on

as U.S. Application Number

☐ and was amended on (if applicable)

☒ was described and claimed in PCT International Application Number PCT/IB04/000002, filed on 8/1/04 and as amended under PCT Article 19 on and/or PCT Article 34 on

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

**DISCLOSURE AND/OR CLAIM FOR PRIORITY UNDER  
35 U.S.C. §§ 119(a)-(d) OF FOREIGN APPLICATIONS  
FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN)  
OF THIS APPLICATION**

I hereby claim foreign priority benefits under Title 35, United States Code §§ 119(a)-(d) of any foreign applications for patent, inventor's certificate or PCT international application designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent, inventor's certificate or any PCT international application designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Country (or indicate if PCT)	Application Number	Date of Filing (day, month, year)	Priority Claimed Under 37 USC § 119a-			
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	N
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	N
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	N
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	N

**DISCLOSURE OF FOREIGN APPLICATION(S) IF ANY,  
FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN)  
PRIOR TO THE FILING OF THIS APPLICATION**

Country (or indicate if PCT)	Application Number	Date of Filing (day, month, year)
EUROPE	03290082.1	13.01.03

DOCKET NO.: CP 244

- 3 -

PATENT


**CLAIM FOR PRIORITY OF UNITED STATES APPLICATIONS  
OR PCT APPLICATIONS FILED  
IN THE UNITED STATES RECEIVING OFFICE  
UNDER 35 U.S.C. § 120**

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date Filed	Status Patented/Pending/Abandoned

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
UNDER 35 U.S.C. § 119(e)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application No.	Filing Date

POWER OF ATTORNEY

I hereby appoint all the practitioners associated with Customer 46347 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Each practitioner associated with Customer Number 46347 is an attorney registered before the United States Patent and Trademark Office.

Address all telephone calls and correspondence to:

Suzanne E. Miller, Esq.  
at the address associated with Customer No. 46347  
Telephone No.: (215) 568-3100  
Facsimile No.: (215) 568-3439

DOCKET NO.: CP 244

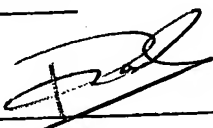
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of: first joint inventor  
Sébastien ROSE  
(Given Name) (Middle Initial or Name) (Family or last name)

City/State of Actual Residence: ARSY - FRANCE

Mailing Address: 23, chemin du Tour de Ville - 60190 ARSY - FRANCE

Country of Citizenship: FRENCH

Inventor's signature: 

Date: 20/07/05



DOCKET NO : CP 244

Full name of second inventor

Dominique

*(Given Name)*

(Middle Initial or Name)

KLEIN

*(Family or last name)*

City/State of Actual Residence: MAURECOURT - FRANCE

Mailing Address: 28, rue Itasse - 78780 MAURECOURT - FRANCE

Country of Citizenship: FRENCH

Inventor's signature: \_\_\_\_\_



Date: 20/07/05



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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AC

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,527	Sebastien Rose	CEPF-0007

23377  
 WOODCOCK WASHBURN LLP  
 ONE LIBERTY PLACE, 46TH FLOOR  
 1650 MARKET STREET  
 PHILADELPHIA, PA 19103

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JAN 12 2006

Woodcock Washburn

INTERNATIONAL APPLICATION NO.

PCT/IB04/00002

I.A. FILING DATE

01/08/2004

PRIORITY DATE

01/13/2003

CONFIRMATION NO. 1480

371 FORMALITIES LETTER



\*OC000000017798075\*

Date Mailed: 01/06/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/07/2005
- Copy of the International Search Report filed on 07/07/2005
- Request for Immediate Examination filed on 07/07/2005
- U.S. Basic National Fees filed on 07/07/2005
- Priority Documents filed on 07/07/2005
- Power of Attorney filed on 07/07/2005

RECEIVED

JAN 12 2006

DOCKET DEPT  
WWKMN

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$1360** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter...

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$1490** for a Large Entity:

- \$130 Surcharge.

- Total additional claim fee(s) for this application is \$ 1360

- \$1000 for 20 total claims over 20.
- \$360 for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,527	PCT/IB04/00002	CEPF-0007

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